UNITED STATES DISTRICT COURT
NORTHERN DISTRICT COURT OF NEW YORK

JOHN GORMAN,

Plaintiff,

-against-

RENSSELAER COUNTY, SHERIFF JACK MAHAR, ANTHONY PATRICELLI, UNDERSHERIFF PATRICK RUSSO, COUNTY HUMAN RESOURCES MANGER TOM HENDRY, COUNTY EXECUTIVE KATHLEEN JIMINO,

Defendant.

PLAINTIFFS FIRST REQUESTS FOR PRODUCTION TO DEFENDANT

Civil Case No.: 1:14-cv-434

Plaintiff, John Gorman, by and through his counsel, Patrick Sorsby Esq., propounds the following discovery upon all Defendants, pursuant to rules 33 and 34 of the Federal Rules of Civil Procedure, and demands answers and production in response thereto within thirty 30 (days) of service. In these interrogatories and requests, the following definitions shall apply:

DEFINITIONS

a. "Defendant" shall mean defendant, or any agent, employee or representative, including, without limitation, attorney thereof, private investigator, investigators of any nature of any other persons, partnerships or legal entities who are in possession of or who may have obtained information for or on behalf of the defendant.
b. "Documents" shall mean any written, printed, typed, recorded or graphic matter, however produced, reproduced or stored, including but not limited to letter, telegrams, telephone messages, notices, note of conversations, memoranda, reports, agreements, diaries, minutes, recitations, statements, worksheets, abstracts, resumes, summaries, notes, jottings, market data, books, journals, ledgers, audits, charts, diagrams, drafts, research documents, newspapers, appointed books, desk calendars, expense reports, bills of lading, patents, invoices, delivery records, bills, checks, statements of account, purchase orders, test reports, photographs, tape recordings and video and audio records of every kind, computer programs and printouts, electronic data compilations, and any other means of recording information in plaintiff's possession, custody or control, or which exist or previously existed.

(i) Lost or destroyed documents: If any document for which identification is requested was formerly in existence or in plaintiff's possession but no longer exists, or no longer is within plaintiff's possession, custody or control, plaintiff's identification of the document should include: (1) and identification of the document and its author or addressee; (2) the date and circumstances of the document's loss or destruction; and (3) the reason or justification for such loss or destruction.

(ii) Privileged documents: If any privilege is claimed with respect to any document or communication requested herein, specifically identify the document or communication requested herein, specifically identify the document or communication and state the privilege claimed and the basis therefor.

c. "Produce" shall mean produce the documents in their original or best available form within thirty (30) days of the service of the request herein at the Law Office of Patrick Sorsby PLLC, 1568 Central Avenue, Albany New York, 12205, and shall be attaching to the answers to the interrogatories and mailing them to the above indicated address.

d. "Identify" with respect to documents shall mean state the author, addressee, persons copied, date, subject matter and document character (e.g., letter, memorandum, invoice), and shall refer to documents in the possession, control or custody of those persons defined as plaintiff as set forth in paragraph (a) above.

e. "identify" with respect to individuals shall mean to give the name and last known residence address of such individual, and the name and address of the last known place of business where such individual was or is employed.

OMNIBUS DISCOVERY REQUESTS

1. **DOCUMENT REQUEST NO. 1:**

   New York State Labor Department conducted a work place violence investigation into incidents of work place violence directed at the plaintiff. It is requested that the Defendants produce any documents in their possession relating to any investigation of work place violence against the Plaintiff conducted by the New York State Labor Department.

2. **DOCUMENT REQUEST NO.2:**

   Produce any copies of any New York State Labor Department Investigation Report case #317041762.

3. **DOCUMENT REQUEST NO. 3:**

   Produce any copies in the possession of the Defendants' of any State Police Report regarding the plaintiff and Defendant Patricelli.

4. **DOCUMENT REQUEST 4:**
Identify and produce any State Police Report with an Incident No. 4975974

5. **DOCUMENT REQUEST NO. 5:**
Identify and produce Defendant Hendry's Workplace Violence Reports and or investigation notes regarding any work place violence complaint involving the including but not limited to notes and reports from February 25, 2013 and July 26, 2013.

6. **DOCUMENT REQUEST NO. 6:**
Identify and produce any Sheriff's department Workplace Violence Reports and or investigation notes regarding any work place violence complaint including but not limited to notes and reports from February 25, 2013 and July 26, 2013.

7. **DOCUMENT REQUEST NO. 7:**
Identify and produce any documents relating to the February 15, 2013 threating phone call made Defendant Patricelli to the plaintiff.

8. **DOCUMENT REQUEST NO. 8:**
Identify and produce any documents relating to the Sherriff Departments investigation of Defendant Patricelli for abuse of the E-justice Computer system this investigation was conducted by Sergeant Webster.

9. **DOCUMENT REQUEST NO. 9:**
Identify and produce any documents relating to an investigation by DCJS into Defendant Patricelli's use of the E-Justice System.

10. **DOCUMENT REQUEST NO. 10:**
Identify and produce any documents relating to any oral warning issued by Jeff Ranken to the Plaintiff on or about November 22, 2012.

11. **DOCUMENT REQUEST NO. 11:**
Identify and produce any documents relating to an incident report and narrative issued by Sergeant Masselli on or about November 11, 2012.

12. **DOCUMENT REQUEST NO. 12:**
Identify and produce the Plaintiff's complete personal record dating back to his date of hire July 7, 2005.

13. **DOCUMENT REQUEST NO. 13:**
Produce the complete Personal Record of Defendant Patricelli.

14. **DOCUMENT REQUEST NO. 14:**
Identify and produce the complete criminal record of Defendant Patricelli.

15. **DOCUMENT REQUEST NO. 15:**
Identify and produce any documents relating to People v Patricelli which was the criminal prosecution for Defendant Patricelli's threatening phone call made to the Plaintiff. This matter was prosecuted in Schagitoke Town Court.

16. **DOCUMENT REQUEST NO. 16:**
Identify and produce all documents relating to any Troy City Criminal Court matter wherein Defendant Patricelli was charged for his threating phone call to Plaintiff Gorman wherein he threatened to break the Plaintiffs Jaw. The Docket # for this case is 1318063.

17. **DOCUMENT REQUEST NO. 17 :**
Identify and produce all medical records from Dr. William McIntyre for John Gorman including initial hire report and 207-c notes/reports/investigation this includes but is not limited to the following interview dates October 29, 2013 and December 12, 2013.

18. **DOCUMENT REQUEST NO. 18 :**
Identify and provide any documents relating to Civil Service Sergeant Examination #79-155 released on January 3, 2013. Status and current list date from February 2013.

19. **DOCUMENT REQUEST NO. 19 :**
Identify and produce the Status and current list date from February 2013 Civil Service Sergeant Examination #79-155.

20. **DOCUMENT REQUEST NO. 19 :**
Identify and provide any documents relating to Internal Affairs investigation conducted by Sheriff Jack Mahar into complaint filed by Master Sergeant Patricelli against Chief Ruth Vibert for allegedly sharing personal & confidential information with the Plaintiff about Defendant Patricelli.

21. **ELECTRONIC MEDIA REQUEST NO. 1 :**
Identify and produce any electronic stored media including but not limited to video and tape recordings of any incident involving the Plaintiff at the West Hall on January 22, 2013 at approximately 10:00 am.

22. **ELECTRONIC MEDIA REQUEST NO. 1 :**

Identify and produce any electronic stored media including but not limited to video and tape recordings of any incident involving the Plaintiff being hit by a door at the jail on July 6, 2013 at or around 12:10 pm. Supply 2 hours before and 2 hours after the incident.

23. ELECTRONIC MEDIA REQUEST NO. 2 :
Identify and produce any electronic stored media of a phone call from Defendant Patricelli to the jail transport sergeant's office at phone extension 1717 on October 8, 2013.

DATED: August 18, 2015

LAW OFFICE OF PATRICK SORSBY
By ______________________
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